



**MINUTES  
of the  
THREE-HUNDREDTH MEETING  
of the  
LEGISLATIVE COUNCIL  
January 16, 2006  
Santa Fe**

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The three-hundredth meeting of the Legislative Council was called to order on Monday, January 16, 2006, at 9:22 a.m. in Room 322 of the State Capitol by Speaker of the House of Representatives Ben Lujan, co-chair.

**PRESENT**

Senator Ben D. Altamirano, Co-Chair  
Representative Ben Lujan, Co-Chair  
Senator Kent L. Cravens  
Senator Joseph A. Fidel  
Representative Ted Hobbs  
Senator Stuart Ingle  
Senator Timothy Z. Jennings  
Representative Terry T. Marquardt  
Representative W. Ken Martinez  
Representative Rick Miera  
Senator Leonard Lee Rawson  
Senator Michael S. Sanchez  
Representative Sheryl Williams Stapleton  
Representative Jeannette O. Wallace  
Representative Donald L. Whitaker

**Special Advisory Members Present**

Representative Donald E. Bratton  
Senator Carlos R. Cisneros  
Representative James Roger Madalena  
Senator Cisco McSorley  
Senator Steven P. Neville  
Senator Lidio G. Rainaldi  
Representative Debbie A. Rodella  
Senator John Arthur Smith  
Representative Joe M Stell

**ABSENT**

Senator Pete Campos

**Special Advisory Members Absent**

Senator Dianna J. Duran  
Representative Justine Fox-Young  
Senator Mary Jane M. Garcia  
Senator John T.L. Grubestic  
Representative Irvin Harrison  
Representative Patricia A. Lundstrom  
Representative Al Park  
Senator William H. Payne  
Representative Teresa A. Zanetti

**Staff**

Paula Tackett, Director, Legislative Council Service (LCS)  
Kathy Pacheco-Dofflemeyer, Assistant Director for Administration, LCS  
John Yaeger, Assistant Director for Legislative Affairs, LCS  
Raúl Burciaga, Assistant Director for Drafting Services, LCS  
Jeret Fleetwood, Locator Coordinator, LCS

On a motion made, seconded and unanimously approved, the minutes of the December 15, 2005 meeting of the Legislative Council were approved as submitted.

### **CAPITOL SECURITY**

Lieutenant Rick Anglada of the New Mexico State Police explained to the council that he would once again serve as head of capitol security for the legislative session. He noted that the state police capitol security detail would consist of 27 male and 4 female officers, as well as one criminal agent. Lieutenant Anglada pointed out that at least one officer came from each of the 12 state police districts in the state. He also indicated that the bomb-sniffing dog had recently completed a sweep of the capitol.

Speaker Lujan thanked Lieutenant Anglada for his hard work in protecting both legislators and the public during the legislative session.

Ms. Tackett also pointed out that improvements had been made to the procedures regarding deliveries to the capitol, and training had been provided for mail room personnel and others handling the mail to understand necessary procedures for handling suspicious packages.

### **NCSL LEADERSHIP STAFF SECTION — NEW MEXICO CONFERENCE REQUEST**

Rosina Boyd, House Minority Leadership Office chief of staff, explained to the council that the annual National Conference of State Legislatures (NCSL) Leadership Staff Section meeting is scheduled to be held in September in Santa Fe. She explained that the total cost of the event is about \$40,000. Private donations typically account for a substantial portion of the funding required to pay for such items as receptions and the state dinner for attending delegates, but that ground transportation for attendees to and from the meeting and some program costs could be paid out of state funds. She requested that \$25,000 be included in House Bill 1 to provide funds for appropriate expenses associated with the conference.

In response to a question from Representative Martinez, Ms. Boyd explained that the state can only fund the governmental functions associated with the conference and that events such as a reception and gifts would have to be funded through private donations.

The council expressed concern about whether \$25,000 would be enough to adequately fund the appropriate conference expenses.

On a motion made, seconded and unanimously approved, the council approved the inclusion of \$35,000 in House Bill 1, from the legislative cash balances account, for the annual NCSL Leadership Staff Section meeting.

Speaker Lujan commended Ms. Boyd for her hard work in putting the meeting together.

In response to a question from Senator Altamirano, Ms. Tackett indicated that while all members of the legislative leadership offices would be invited to the meeting, she understands that other legislative staff would be welcome to attend the meeting also.

### **STAFF REPORTS**

Staff presented the council with a report regarding wireless internet access for the public and the issue of laptop computers in the House and Senate galleries. Ms. Tackett explained that while staff could certainly draft language to ban the use of electronics such as laptop computers in the galleries, enforcement of the current rules regarding cell phones and pagers in the galleries could simply be expanded to include other devices without having to change the rules.

The council discussed whether there is an existing problem with laptops in the galleries, and how large a problem such devices are. Several members noted that while it may not be fair for legislators to have laptops while the public cannot, members of the public seem to be using electronic devices to skirt the rule regarding newspapers in the gallery. Other members argued that allowing the public to view the bills being debated by the body at any particular time makes for better-informed citizens.

On a motion made and seconded, the council moved to limit the use of laptop computers and similar electronic devices in the House and Senate galleries. Representative Martinez expressed his objection to the motion. The motion was approved.

Members of the council wished Representative Wallace a happy birthday.

Staff indicated that damage caused to the capitol by the fire system flooding parts of the building was almost completely repaired. They noted that only one area remained unfinished and that it would be completed after the legislative session. Staff also pointed out that while the repairs cost \$300,000, the legislature was only responsible for a \$1,000 payment to the Risk Management Division while the rest was covered by an insurance policy.

Staff also noted that the remodeling of the capitol's west side steps was still not finished. They indicated that while the steps themselves would not be finished until the end of January, the doors on the west side of the capitol had been re-opened to the public.

Staff also indicated that some remodeling of the coffee shop on the second floor of the capitol had been completed. They explained that remodeling was necessary to resolve both an issue with the Americans with Disabilities Act and some operational flow issues.

In response to a question from Senator Rawson, Ms. Tackett indicated that the coffee shop remodeling had been done by the Legislative Building Services Department and cost under \$20,000.

Ms. Tackett presented the council with a request to increase funding for the legislative intern program from \$25,000 to \$45,000 in order to allow expansion of the program to include a law intern program from the University of New Mexico School of Law.

In response to a question from Representative Marquardt, Ms. Tackett indicated that law school students from out-of-state colleges and universities could also apply for the program.

On a motion made, seconded and unanimously approved, the council authorized an increase to \$45,000 for the legislative intern program to be included in House Bill 1.

The council approved a request to use the Senate chambers on September 22-26 for the World Peace Conference.

In response to a question from Senator Rawson, Ms. Tackett explained that the joint rules of the House and Senate guide the use of the capitol, with the exception of the chambers. She pointed out that while the chambers may be used for student activities such as the Model Legislature and Model United Nations programs, other uses require the approval of the Legislative Council. Ms. Tackett also pointed out that the rule regarding use of the chambers predates permanent chief clerks.

In response to a question regarding the number of microwaves allowed in office suites, Ms. Tackett explained that there is no rule establishing a maximum number of microwaves and coffee pots allowed in offices, but that such issues are addressed in a letter sent out to session staff.

Ms. Tackett also pointed out that \$200,000 had been set aside for replacement of office furniture and carpets.

The council discussed parking issues for session staff, which led to a larger discussion about leadership staff in general.

Ms. Tackett explained that reconfiguring the state-owned parking lots around the capitol had allowed the General Services Department to add 150 parking spaces as a means of providing some short-term relief to parking issues. She went on to note that money has been appropriated to build a parking structure near the capitol, but that the law requires that the state master planning process be followed in building the structure.

Several issues were raised in addition to there not being enough parking spaces for staff during legislative sessions, including: a lack of office space for session staff, an increase in the interim workload and possible additional permanent staffing needs. In response to the need for more staff, Representative Martinez reminded members that the House majority staff works for all members of the House Democratic Caucus and that the House chief clerk works for all members of the House and provides additional constituent and secretarial support.

After discussing these issues, the council suggested that the total legislative process itself should be reviewed.

Senator Smith moved that the total legislative process be reviewed and include public involvement. Ms. Tackett indicated that such a study could also address the issue raised by Senator Altamirano at an earlier meeting about the need for a review of the interim committee process.

It was also suggested that New Mexico First and the NCSL be contacted to provide assistance.

Ms. Tackett asked if the council staff should prepare a proposal that would include the scope and cost of such a review for presentation to the first council meeting after session.

Senator Rawson also raised the possibility of allowing for modest growth in the budget for leadership staff.

Speaker Lujan pointed out that studying the legislative process and allowing for leadership budget growth are actually two separate issues.

On a motion made, seconded and unanimously approved, Senator Smith's suggestion of reviewing the entire legislative process, including the interim process and public involvement, was approved. Staff was directed to bring a proposal on the scope and cost of such a review back to the council at its first meeting after the session.

There being no further business, the council adjourned at 10:50 a.m.